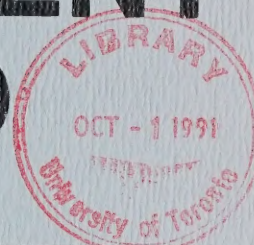


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-H26



ENVIRONMENTAL ASSESSMENT BOARD



VOLUME: 328

DATE: Monday, September 23, 1991

BEFORE:

A. KOVEN Chairman

E. MARTEL Member

FOR HEARING UPDATES CALL (COLLECT CALLS ACCEPTED) (416)963-1249

**FARR &
ASSOCIATES
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HEARING ON THE PROPOSAL BY THE MINISTRY OF NATURAL
RESOURCES FOR A CLASS ENVIRONMENTAL ASSESSMENT FOR
TIMBER MANAGEMENT ON CROWN LANDS IN ONTARIO

IN THE MATTER of the Environmental
Assessment Act, R.S.O. 1980, c.140;

- and -

IN THE MATTER of the Class Environmental
Assessment for Timber Management on Crown
Lands in Ontario;

- and -

IN THE MATTER OF a Notice by the
Honourable Jim Bradley, Minister of the
Environment, requiring the Environmental
Assessment Board to hold a hearing with
respect to a Class Environmental
Assessment (No. NR-AA-30) of an
undertaking by the Ministry of Natural
Resources for the activity of timber
management on Crown Lands in Ontario.

Hearing held at the offices of the Ontario,
Highway Transport Commission, Britannica
Building, 151 Bloor Street West, 10th Floor,
Toronto, Ontario, on Monday, September 23rd,
1991, commencing at 1:00 p.m.

VOLUME 328

BEFORE:

MRS. ANNE KOVEN
MR. ELIE MARTEL

Chairman
Member

A P P E A R A N C E S

MR. V. FREIDIN, Q.C.)	
MS. C. BLASTORAH)	MINISTRY OF NATURAL
MS. K. MURPHY)	RESOURCES
MR. B. CAMPBELL)	
MS. J. SEABORN)	MINISTRY OF ENVIRONMENT
MS. N. GILLESPIE)	
MR. R. TUER, Q.C.)	
MS. E. CRONK)	ONTARIO FOREST
MR. R. COSMAN)	INDUSTRIES ASSOCIATION
MR P. CASSIDY)	
MR. D. HUNT)	
MR. R. BERAM	ENVIRONMENTAL ASSESSMENT BOARD
MR. E. HANNA)	ONTARIO FEDERATION OF
DR. T. QUINNEY)	ANGLERS & HUNTERS AND
MR. D. HUNTER)	NISHNAWBE-ASKI NATION
MR. M. BAEDER)	and WINDIGO TRIBAL COUNCIL
MS. M. SWENARCHUK)	FORESTS FOR TOMORROW
MR. R. LINDGREN)	
MR. D. COLBORNE)	GRAND COUNCIL TREATY
MR. G. KAKEWAY)	#3.
MR. R. IRWIN	ONTARIO METIS & ABORIGINAL ASSOCIATION
MR. J. ANTLE	NORTHERN ONTARIO TOURIST OUTFITTERS ASSOCIATION
MS. M. HALL	KIMBERLY-CLARK OF CANADA LIMITED and SPRUCE FALLS POWER & PAPER COMPANY
MR. R. COTTON	BOISE CASCADE OF CANADA LTD.

APPEARANCES: (Cont'd)

MR. Y. GERVAIS)	ONTARIO TRAPPERS
MR. R. BARNES)	ASSOCIATION
MR. L. GREENSPOON)	NORTHWATCH
MS. B. LLOYD)	
MR. J.W. ERICKSON, Q.C.)		RED LAKE-EAR FALLS
MR. B. BABCOCK)	JOINT MUNICIPAL COMMITTEE
MR. D. SCOTT)	NORTHWESTERN ONTARIO
MR. J.S. TAYLOR)	ASSOCIATED CHAMBERS OF COMMERCE
MR. J.W. HARBELL		GREAT LAKES FOREST
MR. S.M. MAKUCH		CANADIAN PACIFIC FOREST PRODUCTS LTD.
MR. D. CURTIS)	ONTARIO PROFESSIONAL
MR. J. EBBS)	FORESTERS ASSOCIATION
MR. D. KING		VENTURE TOURISM ASSOCIATION OF ONTARIO
MR. H. GRAHAM		CANADIAN INSTITUTE OF FORESTRY (CENTRAL ONTARIO SECTION)
MR. G.J. KINLIN		DEPARTMENT OF JUSTICE
MR. S.J. STEPINAC		MINISTRY OF NORTHERN DEVELOPMENT & MINES
MR. M. COATES		ONTARIO FORESTRY ASSOCIATION
MR. P. ODORIZZI		BEARDMORE-LAKE NIPIGON WATCHDOG SOCIETY

APPEARANCES: (Cont'd)

MR. R.L. AXFORD	CANADIAN ASSOCIATION OF SINGLE INDUSTRY TOWNS
MR. M.O. EDWARDS	FORT FRANCES CHAMBER OF COMMERCE
MR. P.D. McCUTCHEON	GEORGE NIXON
MR. C. BRUNETTA	NORTHWESTERN ONTARIO TOURISM ASSOCIATION

I N D E X O F P R O C E E D I N G S

General discussion 57766-57790

Mr. Morgan 57781-57782

Mr. Grayston 57782-57783

1 ---Upon commencing at 1:00 p.m.

2 MADAM CHAIR: Good afternoon. Please be
3 seated.

4 Good afternoon, Mr. Hanna.

5 MR. HANNA: Good afternoon, Madam Chair.

6 Just before we start, I would like to
7 introduce the two gentlemen who are accompanying me
8 today. The third one I think you're familiar with, but
9 on my right is Mr. Rick Morgan, the executive
10 vice-president of the Ontario Federation of Anglers and
11 Hunters. And on my left is Mr. Jim Grayston, he's the
12 special advisor to the NOTO Board. He is currently
13 serving as the principal executive with NOTO, although
14 he is not formally acting in an executive position
15 because he is still an employee of the Ministry of
16 Natural Resources.

17 MADAM CHAIR: Good afternoon, gentlemen.
18 Welcome.

19 Mr. Hanna, how would you like to proceed
20 this afternoon? The Board is very happy to welcome Mr.
21 Morgan and Mr. Grayston, and I think in the letter that
22 Mr. Pascoe sent to you last week he raised a few
23 matters that the Board wanted to talk with your clients
24 about today, and if you wanted to follow the order of
25 that letter we could do so or, if you have your own

1 agenda, go ahead.

2 MR. HANNA: I'm here at your pleasure,
3 Madam Chair. So however you want to proceed.

4 MADAM CHAIR: All right.

5 Maybe we will follow the order of the
6 points that were mentioned in Mr. Pascoe's letter.

7 The first point is, should the Board be
8 looking at the schedule of August the 26th as the
9 schedule for your case?

10 MR. HANNA: Madam Chair, the schedule has
11 not changed. There has been an adjustment in terms of
12 the number of panels because of the funds that have
13 been made available to us, and also to assist the Board
14 in expediting the presentation of evidence, one of the
15 panels has been combined.

16 I have a handout that I would circulate
17 to you. I think you will find the material is the same
18 as far as the overall schedule of the hearing goes, but
19 the difference is that there is one less panel, so that
20 in fact the evidence-in-chief may in fact be completed
21 more quickly, or the overall case may be completed more
22 quickly than originally anticipated.

23 MADAM CHAIR: All right. And we had a
24 communication from Dr. Quinney that it would be 10
25 weeks for your case; is that nine weeks now?

1 MR. HANNA: No, Madam Chair. That was
2 based upon the nine panels at the time.

3 MADAM CHAIR: All right. Thank you, Mr.
4 Hanna.

5 This is very helpful, Mr. Hanna, and it's
6 what we wanted to see with respect to the subjects of
7 your witness panels and the witnesses you would be
8 calling.

9 Is it your intention to keep the
10 examination-in-chief fairly brief?

11 MR. HANNA: Madam Chair, I have attempted
12 as best as possible to estimate the time of
13 evidence-in-chief.

14 I have come before this Board in the past
15 and indicated that it is my intention as much as
16 possible to have the evidence in written form and I
17 still will do that to the greatest extent possible.
18 But given the time that we have available, it may not
19 be possible to have as comprehensive and explicit a
20 written statement as I would have preferred, but even
21 despite that, I think it will be possible to complete
22 the evidence-in-chief for the panels in the following
23 time.

24 I'll just go through each panel, the
25 estimates that I've arrived at.

1 Panel No. 1, I believe, can be done in a
2 day and perhaps less.

3 Panel No. 2 will take a day.

4 Panel No. 3 will be a full day.

5 Panel 4 I expect will be two full days.

6 You will note that Dr. Ward Thomas is on that panel and
7 I expect there will be a number of topics that the
8 Board would want to have canvassed that I will try to
9 include in the evidence-in-chief.

10 Panel 5 will take a day.

11 Panel 6 will require a day, although I
12 expect that will probably be less than a day.

13 Panel 7 is now -- we had Panel 15 for the
14 Ministry of Natural Resources, which is their
15 blockbuster panel. I suggest that our blockbuster
16 panel will be probably be panel 7 and I expect that
17 that will take two days of evidence-in-chief.

18 Panel 8 is expected to take a full day.

19 And Panel 9 I've estimated a day, but it
20 may be less.

21 According to my estimate, Madam Chair,
22 that's 11 days in total for evidence-in-chief.

23 MADAM CHAIR: Thank you, Mr. Hanna.

24 Mr. Pascoe said in his letter of last
25 week that I would ask the other parties what their

1 plans were, their very preliminary plans with respect
2 to cross-examining the OFAH/NOTO Coalition's case.

3 Have any of the parties given any thought
4 as to what sort of cross-examination they will be
5 having on this evidence? And all you would have seen
6 before this, I suppose, is a description of the witness
7 statements in the intervenor funding decision.

8 It's probably easy for you, Mr. Freidin.

9 MR. FREIDIN: I just think it's extremely
10 difficult to estimate time for cross-examination
11 without seeing the witness statement first.

12 I think there are going to be some areas
13 which have been touched on before that perhaps could be
14 limited as a result because the Board has a lot of
15 information on some topics. But really I don't think
16 it would be -- I'm not able to pinpoint a time at the
17 moment.

18 MADAM CHAIR: Ms. Seaborn?

19 MS. SEABORN: Madam Chair, I don't think
20 our cross-examinations will be much different than the
21 ones we have conducted with other intervenors and the
22 Ministry in relation to the case.

23 I think probably panels 1, 2 and 7, just
24 looking at the title, would be panels that my client
25 would be more interested in spending some time with the

1 witnesses on.

2 There will be some panels, I expect, that
3 we will have probably no questions, depending on
4 interrogatory answers, and we will, of course, try to
5 limit our questions to areas we think would be helpful
6 to the Board.

7 MADAM CHAIR: Mr. Cassidy?

8 MR. CASSIDY: I find myself in much the
9 same position as Mr. Freidin is. Not having the
10 witness statements to review, Madam Chair, but just
11 looking at what I see here as well as what I read in
12 the intervenor funding, it would surprise me if we took
13 more than a day to cross-examine on any one of these
14 panels with the exception, perhaps, of panel 7. But I
15 would have to see the witness statements in detail to
16 indeed give you a better estimate.

17 MADAM CHAIR: Ms. Swenarchuk, are you
18 going to be cross-examining this evidence?

19 MS. SWENARCHUK: We expect to, Madam
20 Chair, and I'm really not able to help you any further
21 than that as to how long it will be.

22 I wonder if Mr. Hanna could tell us
23 something about the issues that Jack Ward Thomas is
24 going to address?

25 MR. HANNA: Madam Chair, before I respond

1 to Ms. Swenarchuk's request, I would make the offer to
2 all of the parties and the Board that we would be
3 pleased to have any topics that parties wish to have
4 Dr. Thomas put his mind to brought to our attention and
5 we will try and at least make him aware of that so that
6 he can be prepared ahead of time.

7 As far as the scope of the evidence that
8 we are anticipating Dr. Thomas would present, as the
9 topic indicates, it's half cut supply analysis.

10 Dr. Thomas has training in both forestry
11 and wildlife biology. He has been spoken before of as
12 I think the grandfather of habitat supply analysis and
13 many of the innovative techniques that are currently
14 used in terms of habitat or wildlife management and
15 timber management.

16 The major focus of his evidence will be
17 on the theoretical requirements to integrate wildlife
18 habitat in timber management planning and, from a
19 practical perspective, what he sees as pitfalls to
20 avoid as a result of the U.S. experience and
21 opportunities that are available to us in Ontario.

22 He has written extensively on, for
23 example, the matter of indicator species. He is
24 actively involved, as you're probably aware, in the
25 spotted owl controversy in the states at the present

1 time.

2 He'll be bringing forward to the Board
3 some of his experiences in the U.S. dealing with the
4 many ways to try to integrate wildlife in timber
5 management plans.

6 MS. SWENARCHUK: Is he appearing then as
7 a witness in support of the OFAH terms and conditions?

8 MR. HANNA: All of the witnesses who will
9 be coming forward and giving their professional expert
10 opinions. Dr. Thomas will provide you with his opinion
11 as to what terms and conditions of the Federation and
12 the Coalition that he supports and those that he
13 doesn't agree with. Some he will agree with and some
14 he may not agree with. But that will be his position.

15 I will not be asking any of my witnesses
16 to be coming in support, but to provide their
17 independent expert opinion.

18 MADAM CHAIR: Anything else, Ms.
19 Swenarchuk?

20 MS. SWENARCHUK: No, Madam Chair.

21 MADAM CHAIR: The Board is impressed, Mr.
22 Hanna, that you have in front of us at last a schedule
23 and an identification of your witnesses in a very tight
24 time schedule of 10 weeks and we are certainly
25 encouraging the parties to help the Board adhere to

1 this schedule, keep the cross-examinations as tightly
2 constructed as possible.

3 It wouldn't be the intention of the
4 Board, given this schedule, that we would run over one
5 week for any of the panels.

6 Mr. Martel has pointed out that if panel
7 7 does take two days in examination-in-chief it will be
8 a bit tight for the cross-examinations. But certainly,
9 I think at this stage of the hearing the parties are
10 well able to -- the Board has noticed that the pace of
11 your cross-examinations has speeded up considerably in
12 the last few months and we appreciate that and the
13 Board finds succinct cross-examinations to be just as
14 helpful to it as very long rambling cross-examinations.
15 So we are very much asking for the parties'
16 co-operation in meeting the schedule here.

17 We have yet to go ahead and give our
18 approval for a January starting date. We have a few
19 other matters to explore before doing that, but given a
20 10-week schedule, whenever it starts, we are certainly
21 putting the parties on notice that that's what we would
22 want to do.

23 Mr. Freidin?

24 MR. FREIDIN: I should advise that in
25 recent discussions with Mr. Hunter, he indicated that

1 he anticipates being involved in terms of
2 cross-examination on some of OFAH's case. It's a
3 matter that you may want to confirm with him in Sioux
4 Lookout.

5 MADAM CHAIR: Well, we've got a lot of
6 questions to put to Mr. Hunter.

7 MR. MARTEL: Where is he today?

8 MADAM CHAIR: We are asking where is he
9 today because he called in a great panic this morning
10 trying to get ahold of us, and when we returned our
11 call he was unavailable.

12 MR. FREIDIN: I do not know where Mr.
13 Hunter is.

14 MADAM CHAIR: All right. Well, we're got
15 going to worry about Mr. Hunter cross-examining right
16 now until we sort out what's going on in his own case.
17 Presumably he'll be in Sioux Lookout tomorrow.

18 Mr. Hanna, you see no obstacle if the
19 Board approves the request for an adjournment of the
20 beginning of your case until January the 6th? You see
21 no problem with beginning on that date?

22 MR. HANNA: I'm not aware of any obstacle
23 at this point, Madam Chair.

24 There is one thing that I would bring to
25 the Board's attention and that is the schedule of Dr.

1 Thomas. I may have to ask leave from the Board in
2 terms of the actual timing of panel 4. There may have
3 to be some adjustment there to fit his schedule. I am
4 sure you can appreciate he's coming from a long
5 distance. He is an employee of a separate country's
6 government and we are asking a lot for him to come.
7 And so I may have to ask for some work -- we may have
8 to work around his schedule a bit. But otherwise, I
9 know of nothing now that we will not be able to begin
10 at the beginning of January.

11 MADAM CHAIR: All right, Mr. Hanna.

12 Once we have made our decision and sorted
13 out any other scheduling problems, we would sit down or
14 we would have you sit down with Mr. Pascoe and sort out
15 a scoping schedule.

16 In the event that you want to switch the
17 order of any of your witness statements, which other
18 parties have done, then you are certainly free to do
19 that.

20 Perhaps we would think of that with
21 respect to scoping Dr. Thomas' evidence.

22 Ms. Seaborn?

23 MS. SEABORN: I take it, Mr. Hanna, then,
24 that you are not specifically asking today for these
25 start dates? You have identified dates for the purpose

1 of scheduling, but these are not specific start dates
2 that you're requesting?

3 MR. HANNA: That's correct, Ms. Seaborn.

4 These are, as I think the asterisks
5 indicate, our best estimate as to when we expect these
6 panels will be on the stand. As we're all aware there
7 are many intervening circumstances.

8 MADAM CHAIR: Well, certainly.

9 The Board sees January 6th as being a
10 very firm date if we approve this change in schedule.

11 MR. HANNA: Yes. I didn't mean to leave
12 that impression.

13 No, certainly we are committed to start
14 January 6th, but how long each panel is actually going
15 to take remains to be seen.

16 MADAM CHAIR: Well, certainly given your
17 description of the written evidence being not too
18 lengthy and your examination-in-chief being fairly
19 brief and with the co-operation of the other parties
20 the schedule should work.

21 Certainly we've faced various situations
22 in the past with respect to the availability of
23 witnesses and their health that sort of throw the
24 schedule out, but barring that kind of thing ...

25 One thing with Dr. Thomas, Mr. Hanna,

1 will you be requiring a letter or have you sorted out
2 his invitation to come as a witness?

3 MR. HANNA: That has been sorted out.

4 In fact, I believe I had submitted that
5 to the Board when we had this discussion some time ago.
6 There was a formal request sent out by the Director of
7 the Wildlife Branch of the Ministry of Natural
8 Resources, and there was an acceptance from the Chief
9 Forester, Mr. Robertson, and I believe subsequent to
10 that there was a letter from Dr. Thomas himself.

11 MADAM CHAIR: Thank you, Mr. Hanna.

12 A point, when Mr. Pascoe discussed your
13 schedule with us, we weren't sure at that point if you
14 would be able to present the entire case that you
15 wanted to present, so we made an offer.

16 In the event that you couldn't present
17 all your witness panels, we would have been happy to
18 sit down with you and go through some advance scoping
19 with respect to telling you where the Board really
20 wanted to hear particular pieces of evidence. But that
21 won't be necessary now that you're going to be doing
22 all your panels.

23 MR. HANNA: Madam Chair, if there are any
24 subjects that you feel that you would like canvassed
25 less intensively than others or more extensively than

1 others, the Coalition would be most willing to take
2 that under advisement and to do whatever is possible to
3 abide by the Board's desire.

4 So we would be very interested in knowing
5 if there are topics that you feel are less important
6 than others in terms of the amount of time we should
7 spend on them.

8 MADAM CHAIR: All right, Mr. Hanna.

9 That exercise wouldn't take us long to do
10 because all we have to go on is the description in the
11 intervenor funding report, paragraph descriptions of
12 what would be in your witness statements. But we would
13 be happy to provide you with our thoughts on that if
14 that would be helpful.

15 MR. HANNA: Anything would be helpful,
16 Madam Chair.

17 I would also note to the Board that
18 during my oral submissions in November 1990, on the
19 matter of the case that the Federation presented - it
20 was the Federation at that time - I did give a
21 description of the panels. Now some of the panels have
22 changed slightly and some have been combined and
23 whatever, but I think that same description that I
24 provided orally, too, at that time, also may assist you
25 in understanding the evidence.

1 MADAM CHAIR: Thank you, Mr. Hanna.

2 Now in the following matter we had
3 discussed with you the matter of how the Coalition of
4 the Ontario Federation of Anglers and Hunters and the
5 Northern Ontario Tourist Outfitters Association will
6 work and our concern is we certainly applaud any
7 efforts for the parties to get together at this hearing
8 and share resources and make a more efficient
9 presentation of evidence.

10 But our concern is, if, for any reason,
11 there is a rupture in the Coalition and you decide half
12 way through the evidence to do something else, I guess
13 firstly the Board wouldn't want to be involved in any
14 way in how that's ironed out. We have nothing to do
15 with intervenor funding so you would be on your own
16 with respect to that. And the two issues that would
17 concern us particularly have to do with the evidence
18 and how it would be treated and what that would do to
19 our hearing schedule.

20 For those reasons, I believe Mr. Pascoe
21 sent you a copy of an example, Coalition Agreement,
22 that was devised by some parties at the Ontario Hydro
23 EA, and we wanted to get your views on whether you
24 would be able to submit to the Board a written
25 Coalition Agreement or read into the record what plans

1 you had, in effect, should the Coalition not last until
2 the end of the hearing.

3 MR. HANNA: Madam Chair, Mr. Morgan has
4 come from Peterborough and Mr. Grayston has come from,
5 I believe, Kapuskasing - he didn't mind stopping off in
6 North Bay on his way - to speak to this matter. I
7 think it is best for you to hear directly from the
8 Coalition members themselves in terms of how the
9 Coalition is structured and how they see it evolving or
10 devolving over time.

11 So it's up to you. I would have Mr.
12 Morgan and Mr. Grayston speak to you if that is
13 acceptable.

14 MADAM CHAIR: That would be very helpful.
15 Please go ahead.

16 MR. MORGAN: I think from the point of
17 view of the Ontario Federation of Anglers and Hunters,
18 as we've examined working with NOTO, and I must tell
19 you, working with NOTO is not new. We have worked very
20 closely with NOTO on a number of issues over the years
21 and, more particularly, with this particular class of
22 environmental assessment. We've had ongoing
23 discussions from virtually day one of the process and,
24 through the commonality of purpose, have come together
25 and structured the formal OFAH/NOTO Coalition.

1 We see the view of a split as being quite
2 hypothetical, quite frankly. The amount of discussions
3 that have gone on about our respective interests in the
4 outdoors of Ontario and in the forests of Ontario lead
5 us to believe that there couldn't possibly be a split.
6 That we can't foresee any issue which would split us.

7 We have viewed all of our respective
8 interests within the context of the terms and
9 conditions which you are already aware of and our
10 boards have both reviewed those terms and conditions
11 and are more than comfortable with them. They endorse
12 them wholeheartedly.

13 It's my belief that a paper agreement is
14 one that already puts you on the road to a split rather
15 than bringing you together.

16 We are quite delighted with the working
17 relationship with NOTO. We have, I guess, an agreement
18 in principle. We will work as equal partners, and
19 using the same agent, the same terms and conditions
20 that we are looking for to happen.

21 MR. GRAYSTON: Mr. Morgan hasn't left
22 very much to be said, Madam Chair, but NOTO concurs
23 with all of what Mr. Morgan has stated and we, like Mr.
24 Morgan, don't see any issue right now that would split
25 us.

1 We're in complete support of Mr. Hanna
2 and look forward to preparing a case, I think, that's
3 going to be a superior alternative. So we're looking
4 forward to our continued involvement with OFAH in this
5 matter.

6 MADAM CHAIR: Is it agreed that the
7 Coalition will be presenting its evidence in Toronto?

8 MR. HANNA: Yes, Madam Chair.

9 MADAM CHAIR: Were there questions from
10 the parties with respect to the Coalition and the way
11 it will be participating at the hearing?

12 The Board is satisfied for now with the
13 commitments you've made and we wish you good luck in
14 all the work you've got ahead of you.

15 Just one final question about the
16 Coalition. As you lead us through the evidence, will
17 you be saying this is an issue that's very important to
18 both parties but particularly so to OFAH because of
19 such and such a reason?

20 So in the Board's mind, if there's
21 anything specific to the organizations that requires
22 certain evidence, that you would tell us that? We
23 won't be able to decipher that ourselves.

24 MR. MARTEL: If I could just add to that
25 just for clarification, because if one looks at the

1 evidence we've heard and the cross-examination, and an
2 area that we're not sure of, for example, will be
3 access.

4 Some people have indicated they don't
5 want access to lakes. Other people want access to
6 lakes. How does that tie in together, because we've
7 heard some difference of opinion, I think.

8 For example, why the fly-in operators are
9 opposed to, let's say, to some of the anglers and
10 hunters whom we've heard who want access to lakes, and
11 that creates a bit of a problem. And I think that's
12 the sort of thing my colleague is alluding to.

13 MR. HANNA: Mr. Martel, I'm going to ask
14 Mr. Morgan and Mr. Grayston to speak to that, but
15 before they do, I'm going to deal with it from the
16 point of view of the evidence that I see leading to it.

17 Both members of the Coalition share a
18 very strong and central common purpose, and that is the
19 wise management of the province's resources, and that
20 is the driving force of both organizations.

21 In terms of the evidence that will be
22 brought forward, I had not anticipated saying this is a
23 particularly essential issue as far as NOTO is
24 concerned as opposed to the OFAH.

25 The evidence that we'll be bringing

1 forward to you has been designed with a very specific
2 purpose in mind, and that is we are coming forward to
3 the Board with what I think is a comprehensive and
4 integrated package. No one piece stands alone and is
5 essential or separate from itself, and that the
6 Coalition is centered around the strength of that
7 package.

8 The reason that the Coalition has been
9 brought together, or one of the essential reasons that
10 the Coalition has been brought together as far as this
11 particular hearing goes, is that they both are striving
12 for the same thing and that is a fair and public
13 accessible planning system for the province. And both
14 organizations are firmly committed that what they're
15 bringing forward meets that task and is superior to
16 others that have been brought forward.

17 In terms of the specific allocation
18 issue, though, I would like to have Mr. Morgan and Mr.
19 Grayston speak to that.

20 MR. MARTEL: You can understand why
21 that -- based on what we've heard to date, that that
22 sits in my mind at least as how do you differentiate
23 who is standing for what?

24 I understand what you're telling me, but
25 it still creates -- I mean we've heard your members

1 town after town after town, Mr. Hanna, and we've heard
2 NOTO's - now that they are part of your Coalition -
3 we've heard in area after area a somewhat different
4 position, by some of them anyway, from NOTO, as opposed
5 to what some of the people... And I guess what we're
6 trying to get at is if that situation arises, can we
7 expect or will we receive something that deals with any
8 of those? I just use access as an example.

9 MR. HANNA: Perhaps I'll let Mr. Morgan
10 speak to that, Mr. Martel.

11 MR. MORGAN: I think, Mr. Martel, you've
12 obviously picked up on the one issue that has perhaps
13 the greatest amount of local, perhaps, animosity,
14 between various citizens in this province. On a
15 provincial basis, I don't think that is the case.

16 More importantly, however, the OFAH/NOTO
17 Coalition is putting forward terms and conditions which
18 will resolve those kinds of conflicts which will
19 eliminate them in the future and, if accepted, we won't
20 have to worry about those kinds of things. That's why
21 there is a coalition. That's why there is a
22 commonality of purpose.

23 MADAM CHAIR: Do you have anything to
24 add, Mr. Grayston?

25 MR. GRAYSTON: No. I agree with Mr.

1 Morgan. We feel the same.

2 MADAM CHAIR: One question, Mr. Hanna,
3 and we are not discussing today the details of what's
4 going to be in your evidence. But on witness panel No.
5 9, you'll be talking about the National Forest
6 Management planning perspective in the United States?

7 MR. HANNA: No, Madam Chair.

8 MADAM CHAIR: No?

9 MR. HANNA: That panel is designed to
10 provide a further explanation of the National Forest
11 Sector strategy which was introduced by the OFAH.

12 There was, as I think you recall,
13 considerable cross-examination of the Ministry's
14 witnesses on that matter. There was also
15 cross-examination of Dr. Baskerville on that matter and
16 he basically indicated that he was not in a position to
17 provide that evidence.

18 Mr. Neave was a central player in the
19 preparation of the National Forest Sector strategy and
20 he will be speaking on that matter. In providing that
21 evidence, he will also be referring to an issue that's
22 put by other provinces in terms of how that strategy is
23 being implemented.

24 MR. MARTEL: Can I ask, when we get to
25 Dr. Ward Thomas' material on habitat supply analysis,

1 will that cover what is happening on private lands in
2 the United States?

3 I don't have a feel yet for what is
4 happening there. While we've had evidence on what is
5 happening on lands owned by the state or the feds, I
6 don't have a feel for what's the size of that land,
7 that if it is outside of that jurisdiction, and what in
8 fact is happening there in terms of everything we've
9 heard so far.

10 MR. HANNA: Mr. Martel, I believe there
11 is evidence on the record concerning the proportion of
12 the land base and the productive forest land base that
13 is within the U.S. forest service jurisdiction.

14 MADAM CHAIR: We received that from Mr.
15 Zane Gray.

16 MR. MARTEL: But I'm not sure what's
17 happening there though.

18 MR. HANNA: I was just answering the
19 other side of the question, Mr. Martel.

20 Dr. Thomas is a public servant employee
21 of the U.S. Forest Service. I can't tell you at this
22 time the extent of his knowledge regarding private land
23 forestry practices. I will, however, raise that
24 subject with him and if there's information he can
25 bring easily -- put easily together to bring to the

1 hearing, I will ask him to do so.

2 MR. MARTEL: That will be helpful.

3 MADAM CHAIR: Is there anything else you
4 wish to raise today, Mr. Hanna?

5 MR. HANNA: No, Madam Chair. There are
6 no outstanding issues that I'm aware of at this time.

7 MADAM CHAIR: All right. Thank you.

8 Do the parties have anything they wish to
9 take up with the Coalition at this session?

10 All right. Well, the Board thanks you
11 very much, particularly Mr. Morgan and Mr. Grayston,
12 for coming to talk to us and reassure us that you're
13 eager to get going with your case and you would like to
14 start on the January 6th starting date and the
15 Coalition is joined in this enterprise.

16 MR. MARTEL: If you want to go to Sudbury
17 to have it heard, you can, in the north.

18 MADAM CHAIR: Mr. Martel makes this offer
19 to everybody.

20 We will get out the directions very
21 quickly on this, Mr. Hanna. I'm sure you're proceeding
22 in your preparations and so forth.

23 We have a bit more investigating to do
24 with respect to how we will occupy the time. Your case
25 was to have begun earlier and we are looking at ways of

1 pushing ahead satellite hearings and site visits and
2 that sort of thing between now and January, But I hope
3 within a few days that we'll have a direction out on
4 this.

5 We will be in Sioux Lookout this week.
6 We don't know what our schedule will be thereafter, but
7 we certainly encourage you to keep in touch with Mr.
8 Pascoe on the scheduling side and Mr. Beram, if there's
9 any way he can be of assistance to you.

10 And again, thank you very much for coming
11 here today. Thank you very much.

12 MR. HANNA: Thank you, Madam Chair.

13 ---Whereupon the hearing was adjourned at 1:35 p.m.,
14 to be reconvened at 2:00 p.m. on Tuesday, September
24, 1991 in Sioux Lookout, Ontario.

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